

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

George Wayne Reid,)	C.A. No. 5:20-cv-1268-RMG
)	
Petitioner,)	
)	
v.)	ORDER
)	
)	
W E Macklenburg, Warden at FCI Estill,)	
)	
Respondent.)	
)	

Before the Court is the Report and Recommendation (“R & R”) of the Magistrate Judge recommending that Petitioner’s petition for a writ of habeas corpus be dismissed without prejudice for failure to prosecute. (Dkt. No. 35). For the reasons set forth below, the Court adopts the R & R in full.

Petitioner George Wayne Reid, proceeding *pro se* and *in forma pauperis*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court’s April 8, 2020 Order directed Petitioner as follows:

You are ordered to always keep the Clerk of Court advised in writing (United States District Court, Post Office Box 2317, Florence, South Carolina 29503) if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this order, you fail to meet a deadline set by this court, your case may be dismissed for violating this order. Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address and providing the court with the docket number of all pending cases you have filed with this court. Your failure to do so will not be excused by the court.

(Dkt. No. 8 at 2).

On June 8, 2020, Respondent filed a Motion to Dismiss, or in the alternative, Motion for Summary Judgment. (Dkt. No. 24). On June 9, 2020, this Court issued an Order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising Petitioner of the dismissal procedure and the possible consequences if he failed to adequately respond to the motion. (Dkt. No. 25). After failing to file a timely response, the Court advised Petitioner that his Petition for a writ of habeas corpus could be dismissed if he failed to file a Response to the pending Motion on or before August 21, 2020. (Dkt. No. 27). This court notification sent to Petitioner's last known address, (Dkt. No. 27), was returned as undeliverable, (Dkt. No. 31). On August 12, 2020, the Clerk's Office re-mailed Petitioner the July 21, 2020 order at a Maryland address, along with a change-of-address form, but the Court has not received a response from Petitioner. (Dkt. No. 33).

Based on the foregoing, it appears the Petitioner no longer wishes to pursue this action. Accordingly, the Court **ADOPTS** the R & R (Dkt. No. 35) as the Order of the Court and **ORDERS** that this action be **DISMISSED WITHOUT PREJUDICE** for lack of prosecution and for failure to comply with this Court's orders, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
United States District Court Judge

October 5, 2020
Charleston, South Carolina